

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER \_\_\_\_\_  
ADMINISTRATIVE ACTION REPORT AND SUMMARY  
MAYOR AND COUNCIL STUDY SESSION OF JUNE 26, 2000

Mayor Robert E. Walkup called the Study Session to order at 10:06 P.M. at the Tucson Convention Center, 260 South Church, in the Graham/Greenlee Rooms, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup  
Counc. Jose J. Ibarra, (Ward 1)  
Counc. Carol West, (Ward 2)  
Counc. Jerry Anderson, (Ward 3)  
Counc. Shirley C. Scott, (Ward 4)  
Counc. Fred Ronstadt, (Ward 6)

COUNCIL MEMBERS ABSENT/EXCUSED: Vice-Mayor Steve Leal (Ward 5)

STAFF: Luis G. Gutierrez, City Manager  
Brad Detrick, City Attorney  
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
1. Foundations for Leadership, Employee Recognition Committee Public Service Awards (City-Wide) SS/JUNE26-00-325  Presentation of the Foundations for Leadership Awards was made.	
RECESS: 10:49 A.M. RECONVENE: 12:15 P.M. MAYOR & COUNCIL: ALL PRESENT (VICE-MAYOR LEAL ABSENT/EXCUSED) STAFF: ALL PRESENT	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>2. Executive Session – TEP Franchise Renewal (City-Wide) SS/JUNE26-00-310</p> <p>4. Executive Session – Telecommunications Franchise Authority (City-Wide) (Cont'd from 6/19/00 Meeting) SS/JUNE26-00-321</p> <p>Jim Pignatelli, CEO, Tucson Electric Power Company addressed Mayor and Council regarding the TEP Franchise Renewal.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member West that Mayor and Council go into Executive Session for discussion or consultation for legal advice with the attorneys for the City of Tucson pursuant to A.R.S. 38-431.03 (A) (3) and discussion or consultation with the attorneys for the City of Tucson in order to consider its position and instruct its attorneys regarding negotiations for the purchase or lease of real property regarding TEP Franchise Renewal pursuant to A.R.S. Section 38-431.03 (A) (7) and discussion or consultation for legal advice with the attorneys for the City of Tucson pursuant to A.R.S. 38-431.03 (A) (3) and discussion or consultation with the attorneys for the City of Tucson in order to consider its position and instruct its attorneys regarding the City of Tucson's position regarding Telecommunications Franchise Authority pursuant 38-431.03 (A) (4).</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>RECESS: 12:23 A.M. RECONVENE: 1:20 P.M. MAYOR &amp; COUNCIL: ALL PRESENT (VICE-MAYOR LEAL ABSENT/EXCUSED) STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 12:23 P.M. to 1:20 P.M.</p>	
<p>Council Member Scott MOVED, SECONDED by Council Member West that Mayor and Council return to Open Session.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	
<p>3. Mayor and Council Direction Regarding – Executive Session – TEP Franchise Renewal (City-Wide) SS/JUNE26-00-311</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West, that the City Attorney proceed as directed in Executive Session regarding TEP Franchise Renewal.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible <u>BENNY YOUNG,</u> <u>ASST. CITY MANAGER</u> Is informed</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>5. Mayor and Council Direction Regarding Executive Session – Telecommunications Franchise Authority (City-Wide) (Cont'd from 6/19/00 Meeting) SS/JUNE26-00-322</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Scott, that the City Attorney proceed as directed in Executive Session regarding Telecommunications Franchise Authority.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>6. Development of Principles and Agreements to Guide Extension of Tucson Water Service Area within the Town of Marana (Outside the City) SS/JUNE26-00-319</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt that Mayor and Council direct staff to work with representatives of the Town of Marana to complete an agreement within 90 to 120 days that resolve the policy issues in a manner that is fair and equitable on a short and long term basis.</p> <p>Council Member West clarified the motion that as staff negotiates the cost, the following be considered:</p> <ol style="list-style-type: none"> <li>1) Existing Ratepayers</li> <li>2) Water Supply Factors</li> <li>3) Any Regional Plans that are part of these negotiations</li> </ol> <p>Council Member Ronstadt reiterated that as soon as the vote takes place, Mayor and Council as well as staff will expedite as quickly as possible to help the current situation of private parties unable to obtain water.</p> <p>Motion PASSED, with clarification, by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF WATER</u> Is responsible</p> <p><u>DIR. OF WATER</u> Is responsible</p>
<p>7. Governor's ACTION Initiative – Expanded Boundary (City-Wide) (Cont'd from Meeting of June 19, 2000) SS/JUNE26-00-323</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Scott, that the projected area originally approved on April 3, 2000 be the basis for the grant application.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p> <p>(Counc. Anderson departed at 1:45 P.M. and returned at 1:50 P.M.)</p>	<p><u>DIR. OF COMMUNITY SERVICES</u> Is responsible</p>
<p>8. State Income Tax Repeal Initiative (City-Wide) SS/JUNE26-00-316</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Council Member Ibarra MOVED, SECONDED by Council Member West that staff prepare informational packets. Staff also return with a resolution against this particular initiative for each Mayor and Council Member to sign.</p> <p>Motion was clarified and acceptable to the second.</p> <p>Luis Gutierrez, City Manager, recommended to Mayor and Council that staff be directed to work with other cities, specifically with the Arizona League of Cities and Towns for statewide participation.</p> <p>Council Member Ibarra included Mr. Gutierrez's recommendation in the motion.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH and CITY ATTORNEY</u> Are responsible</p>
<p>9. Recommended Civic Events Allocations of Fiscal Year 2000-01 Support (City-Wide) SS/JUNE26-00-318</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to approve the proposed Fiscal Year 2000-01 allocations to civic events as follows:</p> <ul style="list-style-type: none"><li>- \$134,875 as shown in Attachment A for events with net revenues less than \$5,000.</li><li>- \$48,300 as listed in Attachment B for events with net revenues greater than \$5,000, and</li><li>- Continue the allocation for barricades for Kennedy Park events, these amounts are included in the allocations for the events.</li><li>- Review the Civic Event process and determine what changes may be made or reviews undertaken.</li></ul> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p> <p>Council Member Anderson requested that Christmas in April and the Southern Arizona Regional Science Fair considered in the Civic Events allocations.</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH</u> Is responsible</p> <p><u>CIVIC EVENTS SUBCOMMITTEE</u> Is informed</p>
<p>10. Potential Designation of Historic Routes in the City of Tucson (City-Wide) SS/JUNE26-00-312</p> <p>This item continued to July 10, 2000.</p>	
<p>11. Pima Association of Governments (PAG) June 15, 2000 Management Committee Meeting – Recommendation to PAG Regional Council to be held on</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>June 28, 2000 (City-Wide) SS/JUNE26-00-313</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ronstadt endorse the Management Committee's recommendations to the Regional Council.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF TRANS.</u> Is responsible</p>
<p>12. Stone Avenue Corridor Study Recommendations (Wards 1, 3 &amp; 6) SS/JUNE26-00-306</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ronstadt that staff return in the next few months. A demonstration project should be included in this project.</p> <p>Council Member Anderson clarified the recommendation to redesign the district as a redevelopment area as well.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF TRANS.</u> Is responsible</p> <p><u>OFFICE OF SPECIAL PROJECTS and ECON. DEVELOPMENT</u> Are informed</p>
<p>13. Pre-Garnishment Agreement with City Courts (City-Wide) SS/JUNE26-00-320</p> <p>This item has been continued.</p>	<p><u>CITY CLERK</u> Is informed</p> <p><u>AGENDA COMMITTEE</u> Is responsible</p>
<p>14. Mayor and Council Discussion of Future Agendas SS/JUNE26-00-308</p> <p><u>C9-00-PAD-3B Gateway Centre Planned Area Development (Home Depot)</u> Council Member West requested this item be moved to August 7, 2000.</p> <p><u>Privatization of Bus Shelters</u> Council Member West requested this item be added on a future agenda.</p> <p><u>Open Meeting Laws in Executive Sessions</u> Council Member West requested that a workshop is needed to inform Mayor and Council of the changes that will occur in executive sessions to Open Meeting Laws.</p> <p><u>Commercial Plant Growers Nurseries – Waiver from Watering Restrictions</u> Council Member Anderson requested information in a memorandum with respect to how nurseries are impacted by Water Conservation restrictions.</p>	<p><u>DIR. OF PLANNING</u> Is responsible</p> <p><u>DIR. OF TRANS.</u> Is responsible</p> <p><u>CITY ATTORNEY</u> Is responsible</p> <p><u>DIR. OF WATER</u> Is responsible</p>
<p>14. Mayor and Council Discussion of Future Agendas SS/JUNE26-00-308 (CONTINUED)</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p><u>Arizona Center for Law in the Public Interest Re: Air Quality/ Public System</u> Council Member Anderson requested a response from staff and return within an appropriate time in regards to the challenge from this organization.</p> <p><u>Election by Ward</u> Council Member Ibarra requested that on the July 10, 2000 meeting, Mayor and Council discuss the issue of placing election by ward on the general election ballot.</p> <p><u>Casas Adobes</u> Mayor Walkup requested an update on the Casas Adobes issue. Brad Detrick, Deputy City Attorney, advised Mayor Walkup that this issue was in the process of appeal. As soon as the appeal issue is determined a memorandum with an update is to be forwarded.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p> <p><u>CITY CLERK</u> Is responsible <u>CITY ATTORNEY</u> Is informed</p> <p><u>CITY ATTORNEY</u> Is responsible</p>
<p>15. Boards, Committees and Commission (City-Wide) SS/JUNE26-00-309</p> <p>Council Member Scott informed Mayor and Council that the Charter Review Subcommittee has reviewed the three following subjects in a short period of time:</p> <ol style="list-style-type: none"> <li>1) Change from six to eight wards</li> <li>2) Non-Partison Elections</li> <li>3) Mayoral parity in voting power</li> </ol> <p>Council Member Scott further informed Mayor and Council that due to time constraints, it was the consensus of the committee that this item not be placed on the November 7, 2000 ballot.</p>	
<p>16. Mayor and Council Discussion of Regular Agenda SS/JUNE26-00-307</p> <p>Council Member Ronstadt requested that Consent Item "C" be removed from the Regular Agenda.</p> <p>Council Member Anderson requested that Consent Item "H" be removed from the Regular Agenda and suggested that staff consider looking at other firms.</p> <p>Luis Gutierrez, City Manager, recommended to Mayor and Council that the City of Tucson continue the approval of Sacks Tierney firm contract.</p>	<p><u>CITY CLERK</u> Is informed</p>
<p>17. Discussion on Fourth of July Fire Works and the Current Drought (City-Wide) SS/JUNE26-00-317</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Fred Shipman, Fire Chief reported to Mayor and Council some of the safety concerns in regards to this event. He further reassured Council Member West that a safety plan is in place and that the fireworks display should go forward this year subject to last minute safety concerns.</p> <p>Luis Gutierrez, City Manager recommended that it would be appropriate to begin the planning for this annual event earlier than the current time frame.</p>	<p><u>FIRE CHIEF</u> Is responsible</p>
<p>18. Discussion of the City Attorney Search Process (City-Wide) SS/JUNE26-00-315</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt that Mayor and Council continue with the same process used for the City Manager search.</p> <p>Motion PASSED by a vote of 4 to 2, (Council Members Ibarra and Anderson Dissenting, Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p>
<p>19. Amending Juvenile Firearms Ordinance and Weapons in Park Ordinance (City-Wide) SS/JUNE26-00-314</p> <p>Council Member Scott MOVED, SECONDED by Council Member West that Mayor and Council direct staff to return with proposed amendments to Tucson Code Sections 21-3(5)(2) and 11-55.</p> <p>Mayor Walkup requested that staff research lock boxes in point of entries.</p> <p>Council Member Ibarra had liability concerns with the need for security at City Hall having to check for firearms.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>CHIEF OF POLICE and DIR. OF FINANCE</u> Are responsible</p> <p><u>CITY CLERK</u> Is responsible</p>
<p>20. Request for Funds – Scrappy’s Community Youth Center (City-Wide) SS/JUNE26-00-305</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Anderson that Mayor and Council approve the transfer \$10,000 from the Contingency Fund for Scrappy’s Community Youth Center.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH</u> Is responsible</p>
<p>22. Request for Funds – Professional Bowling Association Tucson Open (City-Wide) SS/JUNE26-00-327</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Council Member Scott MOVED, SECONDED by Council Member Ibarra that Mayor and Council approve the transfer \$2,170 from of the Contingency Fund for Professional Bowling Association Tucson Open.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH</u> Is responsible</p>
<p>23. Request for Funds – Tucson House/University of Arizona College of Nursing Academic Nursing Clinic (City-Wide) SS/JUNE26-00-328</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Ronstadt, that once the Contingency fund has been depleted, the remaining balance of \$5,737.00 to cover the request for the Tucson House/University College of Nursing be taken from the Ward 1 Council Office budget.</p> <p>Motion PASSED by a vote of 6 to 0, (Vice-Mayor Leal Absent/Excused).</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH</u> Is responsible</p>
<p>24. Impounding Vehicles Used In Connection to Alcohol, Drug, and Weapons Offenses (City-Wide) SS/JUNE26-00-329</p> <p>This item has been continued.</p>	<p><u>CITY CLERK</u> Is informed <u>AGENDA COMMTTEE</u> Is responsible</p>
<p>ADJOURNMENT: 3:40 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM CITY CLERK'S OFFICE</i></p>	